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Attorneys for Debtors

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

In re

FRANCISCO L. PARREIRA and MARIA I.
PARREIRA,

Debtors.

Tax ID #: xxx-xx-7349; xxx-xx-1401
Address: 23423 Road 16
Chowchilla, CA 93610

CASE NO. 10-19825

Chapter 12

DC No.: WW-1

Date: September 1, 2010

Time: 8:30 o'clock

Place: 2500 Tulare Street
Fresno, CA 93721
Courtroom 12

Judge: Honorable W. Richard Lee

MOTION FOR AUTHORITY TO USE CASH COLLATERAL

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Francisco L. Parreira and Maria I. Parreira ("Debtors") come before this Court seeking an Order Approving a Motion for Authority to Use Cash Collateral as follows:

The grounds for the Motion are that the cash collateral sought to be used constitutes the Debtors' sole source of funds to operate Debtors' dairy business. Unless the Debtors are immediately allowed to use the cash collateral, the Debtors will be unable to feed the cows, pay employees and suppliers and otherwise will be unable to continue the business and preserve the value of the estate's assets. The Debtors

1 immediately need the use of cash collateral to maintain operations. Any inability to
2 maintain ongoing services will severely affect the value of the estate, which will create
3 immediate and reparable problems for the Debtors. Without the use of cash collateral
4 Debtors' dairy herd will be severely impacted.

5 The cash collateral sought to be used is the claimed cash collateral of Fresno-
6 Madera Farm Credit and A.L. Gilbert Co.

7 Pursuant to B.R. 4001(d)(1), the Motion has been served by mail, facsimile
8 and/or email on all secured creditors, all lease or executory contract creditors, the 20
9 largest unsecured creditors, the Debtors, the taxing agencies required by LBR 2002-1,
10 the U.S. Trustee's Office and the Chapter 12 Trustee, together with any and all persons
11 who have requested special notice by filing the appropriate documents with the
12 Bankruptcy Court. The same has been e-mailed to Fresno-Madera Farm Credit and its
13 counsel, A. L. Gilbert Co. and its counsel and the Chapter 12 Trustee.

14 The Motion is based on the Notice of Motion, the Motion and Memorandum of
15 Points and Authorities in Support of the Motion, the Declaration of Frank Parreira, and
16 all exhibits attached thereto, the complete records and files of the Court in this case, the
17 representations and arguments of counsel to be made at the hearing on the Motion, and
18 such other and further evidence and matters as may be presented to the Court in
19 connection with the Motion.

20 WHEREFORE, the Debtors will request that the Court enter and Order (i)
21 approving the use of cash collateral on an interim basis at the initial hearing; (ii)
22 approving the further use of cash collateral at a hearing to be set by the Court; (iii)
23 authorizing the use of cash collateral on terms prescribed by the Court; and (iv) granting

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1 such other and further relief as the Court deems just and proper under the
2 circumstances.

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4 Dated: August 26, 2010

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a Professional Corporation

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7 By: 

Riley C. Walter, Attorneys for Debtors